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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,306	10/16/2001	Shinichi Yada	110870	4668
25944	7590	01/04/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/977,306

Applicant(s)

YADA, SHINICHI

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 23-27 and 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to Applicant's Election in response to the Election/Restriction requirement set forth in the November 19, 2004, filed on December 07, 2004.

2. Applicant elected Group I, claims 1-22, and 28-30, with traverse. However, the restriction was proper. Because the inventions are distinct, each from the other because of the following reasons:

3. The applicant's the ground(s) of the traversal, is not found persuasive. Because one application should have one invention and examining different invention on one application is burden. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I can be used for extracting a feature based on an instruction from a client the feature associated with electronic information, deciding whether the electronic information is to be deleted based on the feature extracted by the feature extracting means and deleting unnecessary electronic information, which is manipulating data and data structure, such as deleting data. Invention II can be used for inputting a feature associated with electronic information from terminal equipment and extracting information to be deleted

from the electronic information stored in storing means of the terminal equipment, which is data inputting and storing data, which is data or file maintenance. See MPEP 806.05(d).

4. Claims 1-22, and 28-30 are presented for examination and claims 23-27 and 31 are withdrawn from consideration as being drawn on the non-elected inventions. Claims 1-31 are pending.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-22 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Klein (U.S. Patent No. 6,701,346).

With respect to claims 1-3, 12-13, 28 and 30, Klein discloses, feature extracting means for extracting a feature (indicate and identified the redundant message for deletion, col. 6, lines 5-39) based on an instruction from a client (150, recipient

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computer system), the feature associated with electronic information stored in storing means (159, stored message, fig. 1) connected to a network, (140, network fig.1, recipient computer and server connected by network); deciding means (message manage system, 157, fig. 1) for deciding whether the electronic information is to be deleted (col. 6, lines 5-39, deciding if the message is redundant) based on the feature extracted by the feature extracting means, see (fig. 2D, col. 6, lines 17-39, for example, message M1 is decided as redundant message by message manage system, 157, fig. 1); and deleting means for deleting from the storing means via the network unnecessary electronic information decided to be deleted by the deciding means, see (fig. 2D, col. 6, lines 17-39, redundant message M1 is deleted).

With respect to claims 4-6, Klein discloses, wherein the deciding means decides whether the electronic information is to be deleted based on a feature comprising a character string, image and similar image, see (col. 1, lines 5-65, electronic message).

With respect to claim 7, Kline discloses, deciding means decides that other electronic information related to specific electronic information is also deleted together with the specific electronic information decided to be deleted based on the feature, see (fig. 2D, col. 6, lines 17-39).

With respect to claim 8, Kline discloses, temporarily storing means for temporarily storing electronic information sent via a network wherein the deleting means

deletes the unnecessary electronic information stored in the temporarily storing means at a predetermined timing, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).

With respect to claim 9, Kline discloses, deleting means deletes the unnecessary electronic information from the temporarily storing means after a predetermined period of time has elapsed, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).

With respect to claim 10, Kline discloses, instructing a feature associated with the electronic information to be deleted, see (fig. 2D, col. 6, lines 17-39).

With respect to claim 11, Kline discloses, inputting the feature and transferring it to the instructing and operating means, see (fig. 1, col. 3, lines 5-65).

With respect to claims 14-16, Klein discloses, wherein the deciding means decides whether the electronic information is to be deleted based on a feature comprising a character string, image and similar image by the client, see (col. 1, lines 5-65, electronic message).

With respect to claim 17, Kline discloses, deciding means decides that other electronic information related to specific electronic information is also deleted together

with the specific electronic information decided to be deleted based on the feature, see (fig. 2D, col. 6, lines 17-39).

With respect to claim 18, Kline discloses, temporarily storing electronic information sent via a network, deleting the unnecessary electronic information stored in the temporarily storing means at a predetermined timing, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).

With respect to claim 19, Kline discloses, unnecessary temporarily stored electronic information is deleted after a predetermined period of time has elapsed, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).

With respect to claim 20, Kline discloses, unnecessary temporarily stored electronic information is deleted based on an instruction from a sender of the electronic information, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).

With respect to claim 21, Kline discloses, temporarily stored electronic information is transferred based on an instruction from a sender of the electronic information, see (col. 6, lines 17-39).

With respect to claim 22, Kline discloses, inputting a feature associated with the electronic information to be deleted; and giving a deletion execution instruction to unnecessary electronic information that is to be deleted and extracted from the storing means according to the input feature, see (col. 6, lines 17-39).

With respect to claim 29, Kline discloses, storing electronic information sent via a network in temporary storing means; and deleting unnecessary electronic information stored in the temporary storing means at a predetermined timing, see (159, fig. 1, stored messages deleted when decided redundant, fig. 1, fig. 2D, col. 6, lines 17-39).




**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
December 20, 2004

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER

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